

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79463 of 2023

Arising Out of PS. Case No.-248 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Vicky Kumar Son Of Shatrudhan Sah Resident Of Village- Dariya Chhapra,
Ps- Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 376 of the
Indian Penal Code.

3. Petitioner is said to have committed rape with the
informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that occurrence took place on 20.02.2023 but
the FIR has been lodged on 31.03.2023 after delay of 41 days
without explaining any reasonable cause of delay. He submits
that the victim is major and medical report has not supported the
prosecution case. He submits that no any person of the locality



of the rented house of the informant has supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposing the prayer for bail submit that the petitioner is the main accused who committed rape with the informant.

6. Considering the facts and circumstances of the case and the delay in filing the FIR, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Town P.S. Case No. 248 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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